

REMARKS

Claims 1-14 and 20 are the only active claims pending in this application. Claims 15 – 19 and 21 were previously canceled. The foregoing separate sheets marked as “Listing of Claims” shows all the claims in the application, each with an indication at its first line showing the claim’s current status.

Claims 1 and 5 are amended for typographical form, to insert a missing semi-colon in each, at lines 9 and 10, respectively. Claim 20 has been amended for purposes of clarity.

I. Claim 20 Defines Subject Matter that is Patentable Under 35 U.S.C. § 101

The Examiner rejects claim 20, on the stated position that “computer readable medium ... encompass[es] propagation signal[s] such as waves, signal[s] and paper, which,” according to the Examiner, “are not a Manufacture within” Section 101. Office Action at p. 3.

Applicant respectfully traverses the rejection.

As a preliminary matter, Applicant respectfully understands the Examiner’s intended meaning of “waves” and “signals” to be a transient form of energy, not a fixed in a tangible medium. Further, Applicant respectfully understands the Examiner’s intended meaning of “paper” to be writing paper. If Applicant’s understanding is incorrect, Applicant respectfully requests clarification from the Examiner and, further, requests, an opportunity to supplement this response.

Applicant traverses the rejection, as it not based on reading the claim in its entirety. Applicant respectfully submits that reading the claim as a whole, the limitation “computer medium” a person of ordinary skill in the art would understand the limitation to be a computer readable tangible storage medium. The claim recites the instructions as being “stored.”

To advance the case, however, and Applicant amends the phrase “computer readable medium” to read “computer readable storage medium.”

Applicant respectfully submits the amendment does not raise any new issues, and does not require any additional search by the Examiner.

Applicant therefore respectfully requests entry of the amendment, and reconsideration and withdrawal of the rejection.

II. The Rejections Based on Prior Art are In Error; as the Collected Teachings of the Prior Art Lack Reading the Portable Terminal ID and Writing the Portal Address Appended Portable Terminal ID into the Portable Terminal

A. Claims 1-4 and 12-13 are Patentable Over Rubin and Shteyn

The Examiner rejects claims 1-4 and 12-13 under 35 U.S.C. § 103(a) on the stated reason that the claims are unpatentable over U.S. Patent No. 6,721,804 ("Rubin") in view of U.S. Patent No. 6,782,253 ("Shteyn"). Office Action at pages 4-9.

Applicant respectfully traverses the rejection.

Applicant respectfully submits that Rubin, which the Examiner relies upon as a primary reference, does *not* disclose the subject matter for which it is cited. Applicant submits that the secondary reference, Shteyn, adds nothing to Rubin with respect to Applicant's base claim 1.

Applicant submits, with greater particularity, that the combined disclosure of Rubin and Shteyn lacks the claim 1 portable terminal arrangement that reads the portable terminals ID from the memory terminal, *appends that ID to a portal address assigned to the portable memory and then writes the portal address with the appended ID into the portable terminal memory*. See claim 1, currently amended, at lines 20-22.

As Applicant submitted in Applicant's previous response, example description of this claimed arrangement, which is lacking in Rubin and Shteyn, is at, for example, p. 27, lines 20-23, and at p. 36, line 17, through p. 38, line 12, of Applicant's Specification. As also described, and as Applicant previously submitted, this arrangement for writing with appended ID provides benefits

including elimination of the portable terminal having to send its ID as a separate step, thereby improving performance. *See*, for example, Specification at p. 40, line 22, through p. 41, line 5, and at p. 43, line 21, through p. 44, line 3. As disclosed

Rubin discloses no structure that is, or that is capable of, falling within the broadest reasonable meaning of this claim 1 limitation.

The Examiner states his position at page 5 of the Office Action that Rubin, at col. 5, lines 55-67, col. 6, lines 24-53, col. 8, lines 42-61, and col. 9, lines 24-40, discloses this subject matter.

Applicant submits, with all due respect to the Examiner, that the Examiner's position is not supported by Rubin's disclosure.

Rubin at col. 5, lines 55-67, discloses a portable device with an external memory. This discloses nothing of appending a portable terminal ID, read from a portable terminal memory, to a portal address assigned to the terminal and then writing the portal address with the appended ID into the portable terminal memory.

Rubin at col. 6, line 24-53, is a general technical discussion of microprograms, the Universal Serial Bus (USB), "bytecodes," CPUs, ROMs and Personal Information Managers (PIMs). This discloses nothing of appending a portable terminal ID, read from a portable terminal memory, to a portal address assigned to the terminal and then writing the portal address with the appended ID into the portable terminal memory.

Rubin at col. 8, lines 42-61, discloses a "portal key," which may be a device ID that is stored in the device, or a number that is entered by the user, or a number that is assigned by a portal server, that is used as a type of session key, allowing the user access to different kinds of services.

Rubin at col. 8, lines 42-61, however, discloses *nothing* of the apparatus being arranged to append a portable terminal ID, read from a portable terminal memory, to a portal address assigned to the terminal and then write the portal

address with the appended ID into the portable terminal memory – neither explicitly nor under the doctrine of inherency.

Assuming, for example, Rubin's disclosed configuration (col. 8, lines 42-61) of using the portable terminal ID as the "portal key," Applicant respectfully requests the Examiner to identify to Applicant where there is support in Rubin as to how this constitutes, discloses, teaches or suggests the claim 1 limitation appending to that portable terminal ID a portal address assigned to the terminal, and then writing the portal address with the appended ID into the portable terminal memory.

Assuming, as another example, Rubin's disclosed configuration (col. 8, lines 42-61) of using a portal key assigned by the portal server, Applicant respectfully requests the Examiner to identify to Applicant where there is support in Rubin as to how this configuration constitutes, discloses, teaches or suggests the claim 1 limitation appending to that portable terminal ID a portal address assigned to the terminal, and then writing the portal address with the appended ID into the portable terminal memory.

Regarding the Examiner's citation to Rubin at col. 9, lines 24-60, Applicant respectfully responds this is a discussion of various "keys" and "subkeys," which teaches, discloses, and/or suggests *nothing* of an apparatus arranged to append a portable terminal ID, read from a portable terminal memory, to a portal address assigned to the terminal and then to write the portal address with the appended ID into the portable terminal memory.

The Examiner states at pages 19-20 of the Office Action that the Examiner has considered and, based on Rubin at col. 5, lines 55-67, col. 6, lines 24-53, col. 8, lines 42-61, and col. 9, lines 24-40, disagrees with Applicant's previous assertion that Rubin lacks of an apparatus arranged to append a portable terminal ID, read from a portable terminal memory, to a portal address assigned to the terminal and then to write the portal address with the appended ID into the portable terminal memory.

Applicant respectfully submits, again, that the Examiner's position is not supported by Rubin, as that reference is written and as it would be understood by a person of ordinary skill in the arts pertaining to Applicant's invention neither at Rubin at col. 5, lines 55-67, col. 6, lines 24-53, col. 8, lines 42-61, and col. 9, lines 24-40, nor anywhere else within Rubin's disclosure

Applicant respectfully submits that the secondary reference, Shteyn, does not cure the deficiency of Rubin with respect to claim 1. As Applicant submitted by Applicant's previously submitted response to the previous Office Action, Shteyn is an exemplar of the problem to which Applicant's invention is directed. See Specification at p. 1, line 11, through p. 4, line 19.

Shteyn discloses nothing of, and suggests nothing of a URL or portal address with appended ID feature. Shteyn therefore does not cure any deficiency of Rubin's disclosure with respect to base claim 1

Applicant respectfully urges, for the foregoing reasons, that the rejection of claims 1-4 and 1

2-14 be reconsidered and withdrawn.

B. Claim 20 Is Patentable Over Rubin and Poulsen

The Examiner rejects claim 20 under 35 U.S.C. § 103(a) on the stated position that the claims are unpatentable over Rubin in view of U.S. Patent No. 7,062,511 ("Poulsen"). Office Action at pages 9-11.

Applicant respectfully traverses the rejection as being not sufficiently supported by the references cited by the Examiner.

Claim 20 recites program instruction limitations, corresponding to the claim 1 structural arrangement Applicant shows at section II(A), *supra*, of this paper that Rubin and Shteyn lack, namely an arrangement to read an ID from a portable terminal, appending that to anything, much less a portal address, and then storing the address with appended ID in the portable terminal.

Poulsen is not cited as a teaching of, or toward this limitation. Further, Poulsen does not disclose, teach or suggests anything of or toward this feature..

Applicant therefore respectfully urges this rejection of claim 20 be reconsidered and withdrawn.

C. Claims 5-11 and 14 are Patentable Over Rubin

The Examiner rejects claim 5-11 and 14 under 35 U.S.C. § 102(b) on the stated position that the claims are anticipated by Rubin. Office Action at pages 12-19.

Applicant respectfully traverses the rejection.

Regarding claim 5, Rubin lacks at least the claim 5 limitation of “
wherein the data reading/writing device is arranged to store the
corresponding user-specific portal site address data appended to
the ID read from the portable terminal in the memory medium
of the portable terminal

Claim 5, currently amended, at lines 19-21.

Rubin does not teach, disclose or suggest structure that is, or that is capable of being within the broadest reasonable meaning of this claim 5 limitation.

Regarding claim 14, Rubin lacks at least the claim 13 limitation of:
storing, in the memory medium of the portable terminal the
portal site address data having the received ID

Claim 14, previously presented, at lines 15-17.

Rubin does not teach, disclose or suggest any method, act, or combination of acts within broadest reasonable meaning of this claim 14 limitation.

Applicant respectfully submits, in support, the entire Rubin patent and Applicant's statements at section II(A), *supra*, showing Rubin as lacking similar elements and limitations of Applicant's claim 1.

Applicant respectfully submits that Rubin, for at least this reason, cannot anticipate claims 5 and 14, or any of the dependent claims 6-11.

Applicant respectfully urges, for the foregoing reasons, that the rejection of claims 5-11 and 14 be reconsidered and withdrawn.

Conclusion

In view of the foregoing, Applicant respectfully requests that claims 1-14 and 20 be allowed, and that the application be passed to issue. If the Examiner finds the application to be other than in condition for allowance, the Examiner is respectfully invited to contact the undersigned at the local telephone number listed below to discuss, either in a telephonic or personal interview, any other changes deemed necessary to advance this application. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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